

FACT SHEET

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Proposed Modifications to Existing Media Procedures

The following are changes proposed by the California Department of Corrections and Rehabilitation to the current regulations pertaining to media access to facilities and inmates.

- These modifications are a combinations of provisions contained in SB 1521, existing regulatory provisions; proposed actions based on existing CDCR practices not codified in regulatory language, and/or guidelines from the Society of Professional Journalists;
- The proposed regulations also strengthens our prior, outdated regulations by codifying existing practice and establishing clear standards for media access that have been unevenly applied statewide;
- The definition of news media representative as well as those fit under the category of Non-news media representative has been expanded to more specifically describe what an accredited member of the media is;
- News media requesting to interview a specific inmate/ward can do so in writing to the department. Using existing guidelines, a determination will be made as to whether the subject inmate/ward is eligible for this access. For example, inmates convicted of felony crimes considered violent or convicted of crimes that requires lifetime registration as a sex offender will not be granted arranged interviews with journalists;
- No inmate/ward who meets with a journalist will have their visitation schedule interrupted, changed or suspended, nor will the inmate/ward suffer any penalty or consequences for having a written, telephonic, or in-person conversation with an accredited member of the media;
- Media requesting access to a CDCR institution or facility must do so in writing, but also must have a response from CDCR within 48 hours as to whether that request has been approved or denied;

- Non-news media representatives must provide proof of employment by a bona fide publication or production company, or have convincing evidence that such a company has contracted to purchase the completed project prior to approval;
- Non-news media requests for access to departmental facilities, on-duty staff or inmates shall include project and production details as necessary to determine security and operational impacts and shall be approved by the to the Assistant Secretary, Office of Public and Employee Communications;
- Non-news productions require a California Film Commission permit (*Pursuant to Executive Order S-15-04 signed by Governor Schwarzenegger on Sept. 16, 2004*), along with evidence of financial responsibility and liability insurance of at least \$1 million indemnifying and defending the State of California, its offices, employees and agents against any lawsuits;
- Media representatives may be allowed access to security housing units and administrative segregation with the prior approval of the institution head;
- Media representatives may be permitted random face-to-face interviews with inmates or parolees housed in facilities under the jurisdiction of the department, Such interviews shall be conducted as stipulated by the institution head, including restricting the time, place and duration of interviews, and size of technical crews;
- Use of cameras or recording equipment shall require prior approval of the institution head or designee;
- The media representatives or their organization may be required to pay the security or escort costs provided for the interview;
- An inmate may not receive compensation or anything of value for interviews with the news media;
- CDC Form 146, Inmate Declaration To News Media Contact, shall be completed whenever an inmate is the subject of a still, motion picture or other recording intended for use by a television or radio station, or newspaper, magazine or other publication.